IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CIF LICENSING, LLC, d/b/a GE LICENSING,	)	
Plaintiff,	)	C.A. No. 07-170 (JJF)
v.	)	
AGERE SYSTEMS INC.,	)	
Defendant.	)	

FINAL JOINT CLAIM CONSTRUCTION CHART

CIF Licensing, LLC ("GE Licensing") and Defendant Agere Systems Inc. ("Agere") jointly submit their Final Joint Claim Construction Chart for the patents-in-suit:

- U.S. Patent No. 5,048,054 ("the '054 Patent");
- U.S. Patent No. 5,428,641 ("the '641 Patent");
- U.S. Patent No. 5,446,758 ("the '758 Patent"); and
- U.S. Patent No. 6,198,776 ("the '776 Patent").

After meeting and conferring several times, the parties reached agreement regarding the construction of terms found in the '054 Patent, '641 Patent, the '758 Patent and the '776 Patent. Exhibit A hereto sets forth those terms and the agreed-upon construction.

Exhibit B hereto sets forth the parties' proposed constructions of disputed claim terms.

Should the Court have any questions regarding the Chart, the parties will make themselves available at a time convenient for the Court.

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EXHIBIT A

EXHIBIT A

Stipulated Construction of Terms for United States Patent No. 5,048,054

Terms from United States Patent No. 5,048,054	Agreed Construction
Preamble to claims 1, 12 and 46	The parties agree that the preamble to claims 1, 12 and 46 is not limiting.

Stipulated Construction of Terms for United States Patent No. 5,446,758

Terms from United States Patent No. 5,446,758	Agreed Construction
mapper	structure that associates an input to an output
mapping means	Function: "mapping a digital data sequence into a signal point sequence u(D) such that a component u_k of u(D) at a given time k is selected based in part on past components $\{y_{k-1}, y_{k-2}, \ldots\}$ of a channel output sequence y(D) = x(D)h(D) based on feedback information" Structure: Mapper 102 (`758 Patent, Figs. 1, 2, 3, 4). Mapper 508 (`758 Patent, Fig. 5). Mapping program unit 906 (`758 Patent, Fig. 9).
precoding means	Function: "generating a signal point sequence x(D) according to x(D) = u(D)+d(D), wherein d(D) represents a nonzero difference between a selected non-zero sequence c(D) and a postcursor intersymbol interference (ISI) sequence p(D) substantially of a form p(D) = x(D)[h(D)-1], wherein c(D) is selected such that the channel output sequence y(D) is a code sequence in a trellis code C" Structure:

Terms from United States Patent No. 5,446,758	Agreed Construction
	Precoder 104 ('758 Patent, Figs. 1, 2). Precoder 404 ('758 Patent, Fig. 4). Precoder 510 ('758 Patent, Fig. 5). Precoding program unit 908 ('758 Patent, Fig. 9).

Stipulated Construction of Terms for United States Patent No. 6,198,776

Terms from United States Patent No. 6,198,776	Agreed Construction
mapping data bits to be transmitted to as a sequence of equivalent classes	mapping data bits to be transmitted to a sequence of equivalence classes

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EXHIBIT B

EXHIBIT B

Proposed Construction For Disputed Terms In United States Patent No. 5,048,054

Terms from United States Patent No. 5,048,054	GE Licensing's Proposed Construction	Agere's Proposed Construction
receiver	Plain meaning.	a hardware device for accepting signals from a remote device
line probing processor	structure that processes a line probing signal	a hardware component that processes a line probing signal
selector	Plain meaning.	Invalid based on indefiniteness (35 U.S.C. § 112, ¶ 1); invalid based on lack of enablement (35 U.S.C. § 112, ¶ 2).
for selecting one of the plurality of frequency bands	Plain meaning.	for determining a frequency band to be used for receiving a modulated signal from the remote device, based upon the channel characteristics measured by the line probing processor
for selecting one of the plurality of bit rates	Plain meaning.	for determining a bit rate to be used for receiving a modulated signal from the remote device, based upon the channel characteristics measured by the line probing processor

Proposed Construction For Disputed Terms In United States Patent No. 5,428,641

Terms from United States Patent No. 5,428,641	GE Licensing's Proposed Construction	Agere's Proposed Construction
constellation	a finite set of points in a space	the set of 2^n multi-dimensional signal points used to represent a mapping frame of n input data bits
constellation switching	The preamble of claims 1 and 3 is not limiting. If the preamble is found to be limiting, "constellation switching" means "a change between two constellations with different numbers of points"	using constellations with varying numbers of points for mapping multiple frames of data bits
can be	The preamble of claims 1 and 3 is not limiting. If the preamble is found to be limiting, "can be" should be given its plain meaning.	are or must be. As used in the preamble, this term creates a required or limiting condition for the claim. Thus, the phrase "can be transmitted without constellation switching" must be read as "are transmitted without constellation switching."
frame selector	structure that can select the length of data in a frame	a hardware device for selecting a number of data bits to fill a frame. Frame selector does not include devices storing or executing software such as a central processing unit (CPU) or a digital signal processor (DSP)

Terms from United States Patent No. 5,428,641	GE Licensing's Proposed Construction	Agere's Proposed Construction
zero insertion unit	structure that can insert a zero when required	a hardware device for adding a zero to a frame of data bits. Zero insertion unit does not include devices storing or executing software such as a central processing unit (CPU) or a digital signal processor (DSP)
signal constellation selector/mapper	structure that can select a signal constellation and can map frame bits onto constellation points	a hardware device for selecting a constellation and mapping frames of data bits to signal points or symbols in such constellation. Signal constellation selector/mapper does not include devices storing or executing software such as a central processing unit (CPU) or a digital signal processor (DSP)
operably coupled	whose input is derived from the output of another stage or structure	physically connected to allow inter-operation

Proposed Construction For Disputed Terms In United States Patent No. 6,198,776

Terms from United States Patent No. 6,198,776	GE Licensing's Proposed Construction	Agere's Proposed Construction
quantization device	a device that quantizes a signal	a device that converts a signal with a continuum of amplitudes to a set of discrete values, including linear, A-law, μ-law or any other analog to digital conversion
upstream PCM data transmission	The preamble of claim 30 is not limiting. If the preamble is found to be limiting, "upstream PCM data transmission" means "transmission of analog levels in the direction from an analog PCM modem toward a central office"	transmission of pulse code modulated data to a digital modem
analog pulse code modulation (PCM) modem"	The preamble of claim 30 is not limiting. If the preamble is found to be limiting, "Analog pulse code modulation (PCM) modem" means a client-side or end user modem connected to an analog phone line.	a modem that transmits pulse code modulated data over an analog line

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CERTIFICATE OF SERVICE

I, Philip A. Rovner, hereby certify that on April 28, 2008, the within document was filed with the Clerk of the Court using CM/ECF; that the document was served on the following party as indicated; and that the document is available for viewing and downloading from CM/ECF.

BY HAND DELIVERY AND E-MAIL

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